UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

JOSEPH STONE,)	
Petitioner,)	
v.)	No. 3:04-cv-00314 Chief Judge Haynes
WAYNE BRANDON, Warden,)	
Respondent.)	

ORDER

Before the Court is Petitioner's motion for equitable relief from judgment (Docket Entry No. 44). The United States Supreme Court recently granted certiorari in <u>Trevino v. Thaler</u>, 449 Fed.App'x 415 (5th Cir. 2011), <u>cert. granted</u> 568 U.S. ____ (Oct. 29, 2012) (U.S. No. 11-10189), addressing the applicability of <u>Martinez v. Ryan</u>, 566 U.S. ____ (2012). <u>Martinez</u> is potentially dispositive of this action. Accordingly, this action is **ADMINISTRATIVELY CLOSED**, but may be reopened upon motion of any party after the Supreme Court's resolution of <u>Trevino v.</u> Thaler.

It is so **ORDERED**.

ENTERED this 4 day of March, 2013.

WILLIAM J. HAYNES, JR.

Chief Judge

United States District Court.